



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rodney M. Richards  
Theodore Jones

Serial No.: 220,108

Filed: June 24, 1988

For: Method and Reagents for  
Amplifying and Detecting  
Nucleic Acid Sequences

Group Art Unit: 182

Examiner: Wagner

AMENDMENT

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Dear Sir:

In response to the office action mailed April 27, 1989,  
Applicants respond as follows:

Amendment of the Claims

Please amend the claims of the above-referenced

application as follows:

P 30337 11/06/89 07220108 01-0519 030 215 215.00CH

Amend claim 1 to read as follows:

1. A method of amplifying an amplification sequence of  
a target nucleic acid sequence comprising:

(a) contacting said amplification sequence with an  
excess of a plurality of denatured pairs of amplification probes  
sufficient to drive the reaction forward, wherein the member  
probes of each of said pairs of amplification probes are  
complementary to each other and at least one same hybridizing

7/a  
Washington  
11/6/89

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U.S. PAT. & TRADEMARK OFF.

a1

New Number  
NOT enabled for a target nucleic acid sequence  
only a known sequence

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Rodney M. Richards and Theodore Jones

Serial No.: 0 7/220,108

Group No.: 182

Filed: June 24, 1988

Examiner: Wagner

For: Method and Reagents for Amplifying and Detecting Nucleic Acid Sequences

RECEIVED GROUP 180

Commissioner of Patents and Trademarks

Washington, D.C. 20231

NOV 4 1989

**AMENDMENT TRANSMITTAL**

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicant is

- ☐ a small entity — verified statement:  
☐ attached.  
☐ already filed.  
☒ other than a small entity.

**CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United State Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Charlotte Frumkin

(Type or print name of person mailing paper)

Date: 10/27/89

(Signature of person mailing paper)

## EXTENSION OF TERM

**NOTE:** "Extension of Time in Patent Cases (Supplement Amendments) — If a timely and complete response has been filed after a Non-Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely-filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34-35).

**NOTE:** See 37 CFR 1.645 for extensions of time in interference proceedings and 37 CFR 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply

(complete (a) or (b) as applicable)

(a) ☒ Applicant petitions for an extension of time under 37 CFR 1.17(a)-(d) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$62.00	\$31.00
<input type="checkbox"/> two months	\$180.00	\$90.00
<input checked="" type="checkbox"/> three months	\$430.00	\$215.00
<input type="checkbox"/> four months	\$680.00	\$340.00
		Fee \$430.00

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ 430

OR

(b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

(Amendment Transmittal [9-19]—page 2 of 4)

## FEE FOR CLAIMS

4. The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		SMALL ENTITY		OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR		PRESENT EXTRA		ADDIT. FEE		ADDIT. FEE	
TOTAL	*	MINUS	**	=	x6=	\$		x12=	\$
INDEP.	*	MINUS	***	=	x18=	\$		x36=	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+60=	\$		+120=	\$
						TOTAL \$	OR	TOTAL \$	
						ADDIT. FEE \$			

- \* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, enter "20".  
 \*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".  
 The "Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

(complete (c) or (d) as applicable)

- (c) ☒ No additional fee for claims is required.

OR

- (d) ☐ Total additional fee for claims required \$\_\_\_\_\_

## FEE PAYMENT

5. ☐ Attached is a check in the sum of \$\_\_\_\_\_  
☒ Charge Account No. 01-0519 the sum of  
\$430

A duplicate of this transmittal is attached.

## FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is no authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

6. ☒ If any additional extension and/or fee is required, charge Account No.  
01-0519

AND/OR

☐ If any additional fee for claims is required, charge Account No. \_\_\_\_\_

AMGEN INC.

Reg. No.: 31,222

Tel. No.: (805) 499-5725

*Julia E. Abers*

SIGNATURE OF ATTORNEY

Julia E. Abers

Type or print name of attorney

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P.O. Address

Thousand Oaks, California 91320-1789

(Amendment Transmittal [9-19]—page 4 of 4)